

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 02-00438 DAE-BMK
)	
Plaintiff,)	DECLARATION OF FLORENCE T.
)	NAKAKUNI
vs.)	
)	
AARON A. RUTLEDGE,	(01))	
ANTHONY A. RUTLEDGE, SR.,	(02))	
a/k/a "TONY" RUTLEDGE,)	
STAR-BEACHBOYS, INC.,	(03))	
)	
Defendants.)	
_____)	

DECLARATION OF FLORENCE T. NAKAKUNI

I, FLORENCE T. NAKAKUNI, declare and state that:

1. I am an Assistant United States Attorney in the District of Hawaii and am submitting this Declaration in support of the Government's Motion for Extension of Time to Respond to the Stipulated Order.

2. On June 5, 2006 an Order Discharging the Receiver was filed. The Order delineates a procedure whereby any person who desires to object to the terms of the Order must do so within twenty-one (21) days of entry of the order. Thus, the date by which to respond is June 23, 2006.

3. I was advised by Patrick T. Murphy, Trial Attorney with the Department of Justice in Washington, D.C. that he did not receive the Order until the week of June 12, 2006 due to delays in the mail. Given its terms, various components of the Department of Justice need to be apprised of the Order, and their input must be solicited to determine if there is any reaction to the terms of the Order.

4. On June 23, 2006, I spoke with attorney Laurence Kawasaki of Mr. Seitz's office who advised me that Eric Seitz, attorney for Unity House did not object to our request for additional time to respond to the order.

5. Also on June 23, 2006, I spoke to Brook Hart who represents the Receiver. Mr. Hart advised me that he had no objection to the government's request for additional time until July 7, 2006, to determine if it has any substantial response to the order.

Accordingly, the United States requests an additional fourteen days, to and including July 7, 2006, to determine if it has any substantive response to the Order discharging the Receiver.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 23rd day of June, 2006, at Honolulu, Hawaii.

/s/ Florence T. Nakakuni
FLORENCE T. NAKAKUNI